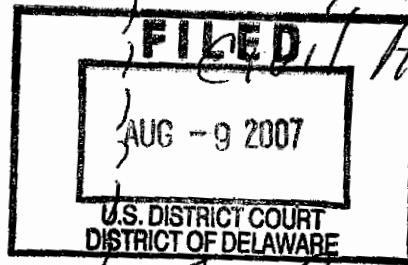


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ANGELO CLARK
PLAINTIFF,

V.

CORRECTIONAL MEDICAL
SERVICES,
DEFENDANT



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Action NO. 06-465

S.L.R.

TRUE RESPONSE Motion; FOR PRELIMINARY INJUNCTION

To The Honorable: Judge SUE L. ROBINSON

1. DR ANTHONY CANNULI MD PSYCHIATRIST EMPLOYED BY C.M.S. HE AS WELL AS A NUMBER OF MENTAL HEALTH PROFESSIONALS, AND NURSING STAFF, HAVE BEEN SUCCESSFULLY AT MESSING MY PSYCHOLOGICAL AND MOTOR SKILLS ARE CONCERNED MENTALLY AND PHYSICALLY. AND JUDGE ROBINSON: THAT WAS ONE OF THE REASONS, I WROTE TO YOU ON-7-10-07, NOW DR. CANNULI MD CONSTRUCTED UP A LOT OF MAKE BELIEVE LIKE THEY USUALLY DO SO IT WOULD SEEM THAT NO ONE IS IN THE WRONG OUT THE PATIENTS OR INMATES, BUT I STILL HAVE SUICIDE TENDENCIES, AND JUST LIKE TWO MENTAL HEALTH WORKERS EMPLOYED BY C.M.S AND WHO WORKS WITH ME PERSONALLY THEY ARE AWARE OF THE STATEMENTS THAT I MADE TO THEM ABOUT CUTTING MYSELF AND HEARING VOICES AND BEING A REAL PARANOID.

BEFORE MEDS AILMENTS
EXHIBIT I - THIS WAS MEDS I
WAS TAKING
WHEN I
WAS HERE
BEFORE
I WENT
TO D.P.C

about July 31, 2006 and the Plaintiff has made subsequent filings on or about October 5,

2006 (DI 8), October 20, 2006 (DI 10), November 1, 2006 (DI 14), January 4, 2007 (DI

18), February 1, 2007 (DI 20), May 15, 2007 (DI 29), and May 29, 2007 (DI 30).

Separate from these and other filings in the Federal District Court, the Plaintiff has filed

Motions for Post Conviction Relief in the Delaware Superior Court, all of which have

been denied, the latest denial having been issued by the Delaware Superior Court on July

20, 2007. See Superior Court Criminal Docket attached as exhibit A. Plaintiff had been

initially represented by counsel at the initial stages of his Petitions for Post Conviction

Relief, but in April 2006, Plaintiff began filing letters and motions as a *Pro Se* litigant.

During the Plaintiff's incarceration at DCC, the Plaintiff has received medical attention and care from various providers, including Correctional Medical Services. As the medical records reveal, the Plaintiff has been treated for various symptoms and conditions, including schizophrenia, bi-polar disorder, cardiac hypertension, and other health challenges. As part of the Plaintiff's care, he was evaluated and treated by mental health professionals, nursing staff, medical assistants, and physicians, including more recently, Anthony Cannuli, MD, a psychiatrist employed by CMS. See Affidavit of Dr. Cannuli attached as exhibit B.

Dr. Cannuli began treating the Plaintiff shortly after the beginning of his employment with CMS, in February 2006. Throughout 2006, the Plaintiff was followed and treated for headaches, nose bleeds, hypertension, cardiac distress, chest pain, stomach "knots", indigestion, intestinal complaints, somatic complaints, and mental health diagnoses of bi-polar, schizophrenia, auditory hallucinations and paranoia. To treat these ailments, the Plaintiff was evaluated by medical professionals, prescribed diagnostic

SO MANY DIFFERENT, NEW PSYCHIATRIST DOCTORS
NURSING STAFF AND E.T.C, IF INVESTIGATED FOR
would see why SO MANY NEW AILMENTS AND SO
tests, medications, group and individual therapy sessions, lab work and was eventually DIFFERENT
med's.

ordered to the Delaware Psychiatric Center for further treatment and evaluation.

During the fall of 2006, the Plaintiff was observed on many occasions as speaking loudly and disruptively, claiming to hear voices, and exhibiting inappropriate behavior. See Mental Health Progress Notes and Progress Reports from September 2006 to July 19, 2007 marked as exhibit C. On November 1, 2006, the Plaintiff was reported to have inflicted superficial cuts on his wrist, refused treatment and insisted that he needs to go to the infirmary and see Dr. Cannuli. See November 1, 2006 progress note attached as exhibit D. The Plaintiff was transferred to the Infirmary and placed on observation Level II. The Plaintiff's cell was searched and Corrections Officers discovered cups of medication that the Plaintiff should have consumed. See Incident Report dated November 1, 2006 attached as exhibit E. Through the November and December 2006 time frame, it was becoming clear to the medical staff that the Plaintiff was further digressing, was becoming increasingly non-compliant with his medications, and exhibiting further signs of inappropriate behavior.

On January 2, 2007, the Plaintiff was observed though his cell as speaking in a high pitched voice and was observed to be slurring his speech. On January 4, 2007, the Plaintiff was evaluated by Dr. Cannuli who found that the Plaintiff was not stable. On January 5, 2007, Acting Mental Health Supervisor Olufemi Adesemolu, MPS, wrote to Delaware Superior Court Judge Jan R. Jurden to ask that the Plaintiff be committed to the Delaware Psychiatric Center for the purpose of psychiatric treatment and evaluation. See January 5, 2007 letter to Judge Jurden attached as exhibit F.

RECENT AILMENTS
AFTER LEAVING D.P.C. WAS PUT ON
DIFFERENT MEDS
AT D.P.C.

On January 25, 2007, Judge Jurden signed an Order to send the Plaintiff to the Delaware Psychiatric Center where the Plaintiff was admitted. On June 8, 2007, Judge Jurden then ordered the Plaintiff transferred from the DPC to the DCC. See Judge Jurden's Orders attached together as exhibit G. On June 13, 2007, the Plaintiff was admitted to the Delaware Department of Corrections Infirmary for observation and evaluation.

While incarcerated at the DCC, both before and after the transfer to the Delaware Psychiatric Center, the Plaintiff has been followed by Correctional Medical Services' medical staff, including medical and psychiatric care providers, who have treated and continue to treat the Plaintiff for a number of symptoms and diagnosis, such as bipolar disorder, schizophrenia, auditory hallucinations, cardiac irregularities, hypertension, anxiety, indigestion, Hepatitis, dizziness, blurred vision, intestinal issues, knee pain, back pain, and other problems. See Plaintiff's medical records for dates of service from June 13, 2007 to July 19, 2007 attached as exhibit H.

When the Plaintiff was discharged from DPC on June 13, 2007, and returned to DCC, he was admitted to the DCC infirmary. One of the admitting physicians was Dr. Anthony Cannuli, M.D, who performed a review of medications and placed the Plaintiff on Psychiatric Observation Level III in the Infirmary. On June 20, 2007, a Mental Health Treatment Plan was created and to which the Plaintiff agreed, that established a schedule for treatment, evaluation, daily medication monitoring, and the Plaintiff's agreement to take psychotropic medication as prescribed. See Mental Health Treatment Plan attached as Exhibit I. On July 8, 2007, the Plaintiff indicated he was starting to hear voices and his paranoia was "kicking in." On July 10, 2007, the Plaintiff was observed as calm and

IM Cynthia Lu Clark
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